UNITED STATES PATENT AND TRADEMARK OFFICE

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

PTOL-90A (Rev. 04/07)

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *23 April 2008*.
2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.
3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1,2,6-9 and 11-23* is/are pending in the application.
     4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5)☐ Claim(s) _____ is/are allowed.
6)☒ Claim(s) *1,2,6-9 and 11-23* is/are rejected.
7)☐ Claim(s) _____ is/are objected to.
8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.
10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
     a)☐ All   b)☐ Some * c)☐ None of:
       1.☐ Certified copies of the priority documents have been received.
       2.☐ Certified copies of the priority documents have been received in Application No. _____.
       3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
     * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)
2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3)☐ Information Disclosure Statement(s) (PTO/SB/08)
     Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
     Paper No(s)/Mail Date. _____.
5)☐ Notice of Informal Patent Application
6)☐ Other: _____.

DETAILED ACTION

Response to Amendment

This Office Action is responsive to the Amendment filed April 23, 2008. Claims 1, 13, and 23 are amended. Claims 3-5 and 10 are cancelled. Claims 1, 13, and 23 are independent. Claims 1, 2, 6-9, and 11-23 remain pending.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1, 2, 6-9, and 11-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ferri et al. (hereinafter Ferri), United States Patent Application Publication 2005/0125736.

Regarding claim 1, Ferri teaches a method for reducing the amount of space occupied by a plurality of graphical elements including at least one graphical element having a filename when the plurality of graphical elements is rendered on a graphical user interface, comprising:

- determining for each graphical element of the plurality of graphical elements if a filename is or is not to be displayed with the graphical element when the graphical element is rendered, the determination being based on the type of object that the graphical element represents, the determination resulting in a filename not being

displayed with the graphical element when the graphical element is rendered (see

Figure 7 and paragraph [0041]; "*Desktop 600 comprises four segments: top segment*

602, bottom segment 604, left segment 606, and right segment 608. Top segment 602

contains icons which are organized in the smallest possible icon organization", the icons

in segment 602 do not have file names displayed; see also paragraph [0010]; "*The user*

defines the segment location, the segment size, the types of icons associated with the

segment, the icon organization within the segment, and whether the segment covers the

desktop wallpaper. The IGP analyzes the icons and places the icons into the proper

segments based on the type of application associated with the icon", the segment in

which a file is represented is based on the file type);

      - for each graphical element of the plurality of graphical elements whose filename

is to be displayed with the graphical element when the graphical element is rendered,

rendering the graphical element and the filename on the graphical user interface (see

Figure 7 and paragraph [0041]; "*Bottom segment 604 contains icons that are organized*

in the normal sized icons with scroll bar. Left segment 606 contains icons that are

expanded to fill the segment. Right segment 608 contains icons that are shrunken to fit

the segment", segments 604, 606, and 608 show icons with filenames); and

      - for each graphical element of the plurality of graphical elements whose filename

is not to be displayed with the graphical element when the graphical element is

rendered, adjusting the alignment of the plurality of graphical elements on the graphical

user interface to reduce the amount of space occupied by the plurality of graphical

elements and rendering the graphic element, but not the filename, on the graphical user

interface, adjusting the alignment of the plurality of graphical elements on the graphical

user interface including aligning a graphic element more closely with surrounding

graphical elements by reducing the space therebetween (see Figure 7 and paragraph

[0037]; *"IOP 400 then determines if the icon organization defined in CP 200 is the*

smallest possible icons (406). If the icon organization is the smallest possible icons,

then IOP 400 shrinks the icons to their smallest possible size allowed by the icon source

code and reduces the space between icons until all of the icons fit into the segment

(408). IOP 400 then ends (432). If at step 406, the icon organization is not the smallest

possible icons, IOP 400 determines if the icon organization defined in CP 200 is to

adjust the icons to fill the segment (410). If the icon organization is to adjust the icons to

fill, IOP 400 adjusts the icon size so that the icons fill the entire segment (412) and ends

(432)").

Ferri does not explicitly disclose data associated with a component of the

filename is determined to be **image data** or **multimedia data**. However, Ferri does

disclose that the data associated with a component of the filename is determined to be

documents, **games**, **web pages**, **development tools**, and **other** (see paragraph

[0032]; *"Possible icon groups within a segment are documents, games, web pages,*

development tools, and other."). It would have been obvious to one of ordinary skill in

the art at the time the invention was made to define image data and multimedia data as

icon groups as a matter of design choice. Ferri discloses that there are other types of

icon groups that persons of ordinary skill in the art might use in accordance with the

invention (see paragraph [0032]; "*Persons of ordinary skill in the art are aware of other icon groups for desktop icons*").

Regarding claim 2, Ferri teaches that the at least one graphical element is an icon (see Ferri Figure 7).

Regarding claim 6, Ferri teaches that determining if the filename is or is not to be displayed on the graphical user interface is based upon an attribute of the filename (see Ferri paragraph [0035]; "*In analyzing the icon, IGP 200 determines what type of application the icon is associated with. For example, if the icon is associated with a MICROSOFT.RTM. INTERNET EXPLORER.RTM. or NETSCAPE.RTM. NAVIGATOR.RTM., then the icon is a web page. If the icon is associated with MICROSOFT.RTM.WORD.RTM. or COREL.RTM. WORDPERFECT.RTM., then the icon is a document. Persons of ordinary skill in the art are aware of how to determine what type of application an icon is associated with*", Ferri discloses determining the file type of a file, which as well known in the art, can be performed by examining the file extension. The file extension is an "attribute of the filename"; see also Figure 7, showing a segment 602 containing icons organized in the smallest possible icon organization; see also paragraph [0010]; "*The IGP analyzes the icons and places the icons into the proper segments based on the type of application associated with the icon*", the icons in segment 602 are for document file types and do not show the file names).

Regarding claim 7, Ferri teaches that the filename is not to be displayed if the filename is determined to be a machine generated file name (see Ferri paragraph

[0035]; "*In analyzing the icon, IGP 200 determines what type of application the icon is associated with. For example, if the icon is associated with a MICROSOFT.RTM. INTERNET EXPLORER.RTM. or NETSCAPE.RTM. NAVIGATOR.RTM., then the icon is a web page. If the icon is associated with MICROSOFT.RTM.WORD.RTM. or COREL.RTM. WORDPERFECT.RTM., then the icon is a document. Persons of ordinary skill in the art are aware of how to determine what type of application an icon is associated with*"). It would have been obvious to one of ordinary skill in the art at the time the invention was made to provide means for defining machine generated files to be displayed in a separate segment.

    Regarding claim 8, Ferri teaches that the filename is not to be displayed if the filename has a filename extension related to multimedia files (see Ferri paragraph [0010]; "*The CP allows a user to define at least one segment on the desktop. The user defines the segment location, the segment size, the types of icons associated with the segment, the icon organization within the segment, and whether the segment covers the desktop wallpaper*", users may define a segment to display multimedia file icons without filenames).

    Regarding claim 9, Ferri teaches that the filename is not to be displayed if the filename extension relates to one of image, video and audio (see Ferri paragraph [0010]; "*The CP allows a user to define at least one segment on the desktop. The user defines the segment location, the segment size, the types of icons associated with the segment, the icon organization within the segment, and whether the segment covers the*

desktop wallpaper", users may define a segment to display only image, video, and

audio icons without filenames).

Regarding claim 11, Ferri teaches that when the plurality of graphical elements

whose filenames are not to be displayed are rendered, adjusting at least a row of the

plurality of graphical elements whose filenames are not to be displayed so that the

graphical elements are proximately closer to one another as compared to a positioning

of the graphical elements whose filenames are to be displayed (see Figure 7 and

paragraph [0037]; "*IOP 400 then determines if the icon organization defined in CP 200*

is the smallest possible icons (406). If the icon organization is the smallest possible

icons, then IOP 400 shrinks the icons to their smallest possible size allowed by the icon

source code and reduces the space between icons until all of the icons fit into the

segment (408). IOP 400 then ends (432). If at step 406, the icon organization is not the

smallest possible icons, IOP 400 determines if the icon organization defined in CP 200

is to adjust the icons to fill the segment (410). If the icon organization is to adjust the

icons to fill, IOP 400 adjusts the icon size so that the icons fill the entire segment (412)

and ends (432)").

Regarding claim 12, Ferri teaches shifting a row of graphical elements whose

filenames are to be displayed vertically upward, the shifting of the row being possible as

a result of the filenames being absent from the graphical elements whose file names are

not to be displayed (see Figure 7 and paragraph [0037]; "*IOP 400 then determines if the*

icon organization defined in CP 200 is the smallest possible icons (406). If the icon

organization is the smallest possible icons, then IOP 400 shrinks the icons to their

smallest possible size allowed by the icon source code and reduces the space between

icons until all of the icons fit into the segment (408). IOP 400 then ends (432). If at step

406, the icon organization is not the smallest possible icons, IOP 400 determines if the

icon organization defined in CP 200 is to adjust the icons to fill the segment (410). If the

icon organization is to adjust the icons to fill, IOP 400 adjusts the icon size so that the

icons fill the entire segment (412) and ends (432)"). It would have been obvious to one

of ordinary skill in the art at the time the invention was made that if the icons in a

segment such as 608 were to be reduced in size and their filenames removed, the icons

in the rows below will be shifted upwards so as to be more visually appealing and so

that screen space is not wasted.

Claim 13 recites a system with substantially the same limitations as the method

of claim 1. Therefore, claim 13 is rejected under the same rationale.

Regarding claim 14, Ferri teaches that the system is one of a computer, a

personal digital assistant, a mobile device and an information device (see Ferri

paragraph [0001]; "*The present invention relates generally to organizational methods for*

computer desktops and specifically to a computer program for organizing a plurality of

icons into groups on a computer desktop").

Claims 15-21 recite a system with substantially the same limitations as the

method of claims 1, 2, 9, 7, 11, and 12. Therefore, the claims are rejected under the

same rationale.

Claim 22 recites an article of manufacture with substantially the same limitations

as claim 1. Therefore, claim 22 is rejected under the same rationale.

Claim 23 recites a method with substantially the same limitations as claim 1.

Therefore, claim 23 is rejected under the same rationale.

Response to Arguments

Applicant asserts that Ferri does not teach, disclose, or suggest determining for

each graphical element of the plurality of graphical elements if a filename is or is not to

be displayed with the graphical element when the graphical element is rendered, the

determination being based on the type of object that the graphical element represents,

the determination resulting in a filename not displayed with the graphical element when

the graphical element is rendered if the data associated with a component of the

filename is determined to be image data or multimedia data. The examiner respectfully

disagrees.

Ferri discloses a virtual desktop comprising four segments (see paragraph

[0041]). The top segment contains grouped icons representing document-type files that

are organized in the smallest possible icon organization, without displaying the

filenames (see Figure 7). When files are placed on the desktop, an Icon Grouping

Program (IGP) analyzes the file type and places the icon for the file in the proper

segment (see paragraph [0010]). Ferri explicitly shows (in Figure 7) a determination

resulting in a filename not displayed with the graphical element when the graphical

element is rendered if the data associated with a component of the filename is

determined to be a **document file type**. However, Ferri also teaches that users may

define the types of icons associated with a segment and the icon organization within the

segment (see paragraph [0010]. Ferri also teaches "*Possible icon groups within a segment are documents, games, web pages, development tools, and other. Persons of ordinary skill in the art are aware of other icon groups for desktop icons*" (see paragraph [0032]). Defining icon groups for image data and multimedia data is fully within the scope of Ferri.

Applicant asserts that Ferri does not teach determining whether the file name is or is not to be displayed based upon an attribute of the filename. The examiner respectfully disagrees.

Ferri discloses determining the file type of a file, which as well known in the art, can be performed by examining the file extension (see Ferri paragraph [0035]). The file extension is an "attribute of the filename". Ferri also shows in Figure 7 a segment 602 containing icons organized in the smallest possible icon organization (see paragraph [0041]). These icons are for document file types and do not show the file names. "*The IGP analyzes the icons and places the icons into the proper segments based on the type of application associated with the icon*" (see paragraph [0010]). Therefore, when a user adds a document file to the desktop, the IGP will analyze the file and determine it to be a document type file, then it will place an icon pointing to the document file into the top segment 602, where the icon will be displayed without a filename. On the other hand, if a different type of file is added to the desktop, it will be displayed in one of the other segments and with the filename displayed.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time

policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Stephen Alvesteffer whose telephone number is

(571)270-1295. The examiner can normally be reached on Monday-Friday 9:30AM-

6:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, William Bashore can be reached on (571)272-4088. The fax phone number

for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

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For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Stephen Alvesteffer
Examiner
Art Unit 2175

/S. A./
Examiner, Art Unit 2175

/William L. Bashore/
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